

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID SUBIL,

Defendant.

CASE NO. CR23-030

DETENTION ORDER

The Court has conducted a detention hearing under 18 U.S.C. § 3142(f), and concludes there are no conditions which the defendant can meet which would reasonably assure the defendant's appearance as required or the safety of any other person and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

Defendant is charged with conspiracy to commit interstate transportation of stolen property. The complaint alleges defendant, using the internet and telephone, ordered approximately \$700,000 worth of seafood through fraudulent representations from a vendor in the district. The seafood was transported to Florida and then sold there. Defendant has a lengthy criminal history including crimes of violence. He has spent a substantial amount of time imprisoned. While most of his criminal history is somewhat dated, the current allegation bears similarity to past crimes that defendant has committed. The current allegation thus appears to be part of a pattern and practice of defendant. The current allegation also was not a spur of the

1 moment event but required careful deliberate planning and occurred over several months. The
2 complaint indicates, and the government argued, that defendant became aware that law
3 enforcement was investigating him when they sent a shipment of seafood he ordered that did not
4 contain seafood. The day after defendant received the shipment law enforcement sent, defendant
5 was arrested attempting to board a one-way flight to the country of Columbia. Law enforcement
6 confiscated \$11,000 in cash from defendant upon his arrest. The Court concludes that defendant
7 should be detained given his criminal history, the nature of the offense, and the risk of flight that
8 defendant poses.

9 It is therefore **ORDERED**:

10 (1) Defendant shall be detained pending trial and committed to the custody of the
11 Attorney General for confinement in a correctional facility separate, to the extent practicable,
12 from persons awaiting or serving sentences, or being held in custody pending appeal;

13 (2) Defendant shall be afforded reasonable opportunity for private consultation with
14 counsel;

15 (3) On order of a court of the United States or on request of an attorney for the
16 Government, the person in charge of the correctional facility in which Defendant is confined
17 shall deliver the defendant to a United States Marshal for the purpose of an appearance in
18 connection with a court proceeding; and

19 (4) The Clerk shall provide copies of this order to all counsel, the United States
20 Marshal, and to the United States Probation and Pretrial Services Officer.

21 DATED this 11th day of April, 2023.

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BRIAN A. TSUCHIDA
United States Magistrate Judge